

COPY

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

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Illinois Commerce Commission  
RAIL SAFETY SECTION

Village of Evergreen Park, Cook County, Illinois )  
Petitioner, )  
 )  
v. )  
 )  
Canadian National Illinois Central Railroad; and Illinois )  
Department of Transportation, Division of Highways, )  
 )  
Respondents. ) T01-0059  
 )  
Petition for an Order of the Illinois Commerce Commission )  
to increase the amount of minimum preemption warning )  
time provided by the Canadian National Illinois Central )  
Railroad, as required by the Illinois Department of )  
Transportation, for a new traffic signal installation at the )  
intersection of 94<sup>th</sup> Street and Kedzie Avenue in Evergreen Park, )  
Cook County, Illinois, and apportioning the )  
costs to be borne in pro-rata shares by the Village of )  
Evergreen Park and the Illinois Department of Transportation )  
through the Southwest Conference of Mayors. )

MOTION OF GRAND TRUNK WESTERN RAILROAD, INC.  
TO CHANGE RESPONDENT AND FOR TIME TO ANSWER THE PETITION

NOW COMES Grand Trunk Western Railroad, Inc. ("GTW"), through its attorney, and  
moves the Illinois Commerce Commission ("Commission") to change a Respondent in this  
proceeding and to grant time to answer the Petition in this proceeding to GTW, and in support  
thereof states as follows:

1. On September 28, 2001, the Village of Evergreen Park ("Village") filed the  
Petition in the above-referenced proceeding,

DOCKETED

2. The Petition named the Illinois Department of Transportation ("IDOT") and Canadian National Illinois Central Railroad ("CNIC") as Respondents.

3. The proper Respondents should have been IDOT and GTW.

4. GTW desires that the Commission delete CNIC as a Respondent and substitute GTW in its place and to issue an order declaring that all references to CNIC in the Petition should be read as references to GTW.

5. GTW also desires that the Commission give it until November 30, 2001, to answer the Petition.

6. Counsel for the Village has informed Counsel for GTW that it has no objection to the relief sought herein.

7. GTW does not agree to accept service by electronic means.

WHEREFORE, GTW respectfully requests that the Commission:

a.. Substitute Grand Trunk Western Railroad, Inc. in place of Canadian National Illinois Central Railroad as a Respondent in this proceeding;

b. Order that all references to Canadian National Illinois Central Railroad in the Village's Petition be read as referring to Grand Trunk Western Railroad, Inc;

c. Give Grand Trunk Western Railroad, Inc. until November 30, 2001 to answer the Village's Petition; and

d. Grant further relief as it deems just and equitable.

Respectfully submitted,

GRAND TRUNK WESTERN RAILROAD, INC.

By 

Michael J. Barron, Jr.  
Counsel for Grand Trunk Western Railroad Inc.  
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455 North Cityfront Plaza Drive  
Chicago, IL 60611-5317  
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Bar No. 6228809

Dated: November 2nd, 2001

STATE OF ILLINOIS  
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Kedzie Avenue in Evergreen Park, Cook County, Illinois, and )  
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of Evergreen Park and the Illinois Department of Transportation )  
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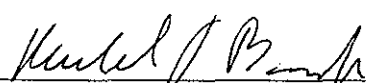
NOTICE OF FILING

Mr. Vincent Cainkar	Mr. James Slifer, Director
Attorney	Division of Highways
6215 W. 79 <sup>th</sup> Street	Illinois Department of Transportation
Suite 2A	2300 S. Dirksen Parkway
Burbank, IL 60459-1102	Springfield, IL 62764

PLEASE TAKE NOTICE that we have this 2nd day of November, 2001, mailed for filing with the Illinois Commerce Commission, Grand Trunk Western Railroad, Inc's Motion to Change Respondents and for Time to Answer the Petition in the above-captioned matter, a copy

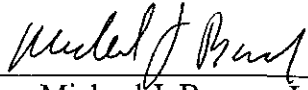
of which is hereby served upon you.

GRAND TRUNK WESTERN RAILROAD, INC.

By   
Michael J. Barron, Jr.  
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**CERTIFICATE OF SERVICE**

I, MICHAEL J. BARRON, JR., an attorney, certify that on behalf of Grand Trunk Western Railroad, Inc., I served the foregoing Motion to Change Respondent and for Time to Answer the Petition upon those made a party to this proceeding by enclosing copies of the foregoing in envelopes addressed to those parties as set forth below, postage prepaid, and depositing the envelopes in the United States Mail at 455 North Cityfront Plaza Drive, Chicago, IL on the 2nd day of November, 2001.



Michael J. Barron, Jr.

Mr. Vincent Cainkar  
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6215 W. 79<sup>th</sup> Street  
Suite 2A  
Burbank, IL 60459-1102

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